

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

UNITED ALUMINUM CORPORATION,	:	CIVIL ACTION NO. 3:08-cv-977
Plaintiff,	:	
VS.	:	
	:	
THE BOC GROUP, INC.	:	
D/B/A BOC GASES,	:	
Defendant.	:	FEBRUARY 23, 2009

AMENDED SCHEDULING ORDER

The parties having appeared before the Court on February 11, 2009, with David L. Weiss of Cohen & Acampora appearing for Plaintiff United Aluminum Corporation (“UAC”) and Anthony J. Marchetta of Day Pitney LLP appearing for Defendant Linde, Inc. (“Linde”); and the parties having requested an Amended Scheduling Order, as settlement negotiations in this matter have not resolved this dispute; and good cause having been shown;

IT IS on this 6th day of March, 2009, ORDERED that:

The parties shall propound written discovery requests and document demands by no later than March 9, 2009; and

The parties shall exchange responses to any written discovery requests and document demands by no later than April 13, 2009; and

Depositions of all witnesses, including third-party witnesses, principal party witnesses, expert witnesses, and FED. R. CIV. P. 30(b)(6) designees, shall commence on or about April 20, 2009 and shall be completed by no later than May 22, 2009; and

All fact discovery, including third-party discovery, shall be completed by no later than June 15,

2009; and

All pre-trial motions including dispositive motions are to be filed by no later than June 30, 2009; and

Unless otherwise ordered, a party intending to call an expert witness must disclose a report signed by the witness containing the information required to be disclosed by FED. R. CIV. P. 26(a)(2)(B). All such expert reports will be disclosed by plaintiff by no later than April 13, 2009, and any such experts will be deposed by no later than May 1, 2009. All such expert reports will be disclosed by defendant by no later than May 8, 2009 and any such experts will be deposed by no later than May 22, 2009; and

Any party with a claim or counterclaim for damages will serve a damages analysis by no later than April 20, 2009; and

A joint trial memorandum will be filed by no later than July 31, 2009. If a summary judgment motion is filed, the joint trial memorandum will be due 30 days after a ruling on the motion; and

The parties will be trial ready by August 15, 2009. If a summary judgment motion is filed the parties will be trial ready 60 days after a ruling on the motion; and

Provisions in the Scheduling Order Regarding Case Management Plan, which are not amended by this Amended Scheduling Order continue to apply.

/s/

Dated: March 6, 2009

HON. HOLLY B. FITZSIMMONS, U.S.M.J.

The undersigned hereby consent to the form and entry of this Order:

PLAINTIFF UNITED ALUMINUM
CORPORATION

DEFENDANT LINDE, INC., PREVIOUSLY
KNOWN AS THE BOC GROUP, INC.

/s/ David L. Weiss

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